

Appl. No.: 10/775,833  
Amdt. dated Ma 14, 2007  
Reply to Office action of February 13, 2007

## **REMARKS**

### **IN THE DRAWINGS**

Figures 1-3 are objected to and should be designated by a legend such as Prior Art. Applicant has submitted replacement drawings with this response.

### **IN THE CLAIMS**

#### **Claim Objections**

Claims 3 and 10 are objected to because of informalities. Applicant has amended both claims to clarify the informalities.

#### **Claim Rejections**

Claims 14-16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Frank et al. (U.S. Patent 5,651,107). Applicant respectfully traverses the Examiner's assertions.

Applicant's present invention provides a method that increases screen space of a computing device by using semi-transparent functional areas that overlap non-functional content areas on the screen. This method allows for relatively large functional targets on the screen--thus mitigating the usability problems associated with tiny buttons and other images--while also allowing the underlying content on the screen to be clearly visible. A main design feature of this invention is that two functional areas are never allowed to overlap. An overlap condition would cause user confusion as to which layer is active. Instead, the interface is designed to foreground functionality in all instances.

Although Frank does disclose a system for transparent displays, Frank discloses popup transparencies and non-continuous transparencies. Applicant's present invention discloses continuous transparent images and software that determines the screen size, the number of images that can continuously and simultaneously fit on the screen and a means to prioritize the images on the screen when the screen can not simultaneously hold desired images.

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In order to sustain a rejection under 35 U.S.C. 102(b) each element of the claimed invention must be described in the cited reference. Contrary to the Examiner's assertion, the element of: a software module for ranking control images that are to be displayed and for continually displaying functional control images on the screen of the computing device over nonfunctional screen and content and in a semitransparent state such that nonfunctional screen content covered by the displayed functional control images remains visible and such that no functional control images simultaneously share any of the same space on the screen, is not disclosed therefore the rejection is not supported by the cited reference and should be withdrawn.

Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellison-Taylor (U.S. Patent 5,796,402) in view of Frank (U.S. Patent 5,651,107). Applicant respectfully traverse the Examiner's assertion.

Ellison-Taylor discloses a computer system aligns windows on a computer screen in a manner that approximates the relative position and size of the windows as they were before being aligned. A preferred method aligns "opposing sides" of all pairs of windows (the nearest parallel sides of each pair of different windows) where such alignment can take place without creating overlaps among any of the windows. The aligned windows are then expanded to fill the bounding window in which they are provided by aligning the sides of the windows with adjacent sides of the bounding window.

However, contrary to the Examiner's assertions, Ellison-Taylor does not describe a display of functional images transparently positioned over functional images. Ellison-Taylor does not discuss or mention the transparent features of the present invention. In addition, Ellison-Taylor discusses avoiding overlapping images, which is described in Frank. Further, Ellison-Taylor does not describe the prioritizing features or ranking features claimed in the present invention. Ellison-Taylor arranges images by size, but not by frequency of use as asserted by the Examiner.

In order to sustain a prima facie case of obviousness, there must be some teaching or suggestion of the elements in the claimed invention. Applicants submit that Ellison-Taylor in combination with Frank does not teach or suggest the prioritizing and ranking features of Applicants' present invention.

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In view of the above, Applicant respectfully submits that none of the art of record (alone or in combination) teaches, discloses or even suggests the invention as recited in each of Applicant's claims. Applicant further submits that all of the pending claims are in condition for allowance. Withdrawal of the rejections and passage to issuance is respectfully requested.

Applicants respectfully submit that Applicants' present invention in present form is in condition for allowance. Applicants believe that no additional search should be required in view of the type of amendments Applicants made to the claims. Therefore, withdrawal of the rejections and passage to issuance is respectfully requested.

No other fees are believed to be due. If Applicant is incorrect in this belief, please apply these charges or any credits, to Deposit Account 09-4447 (Reference Number ASU920030618US1).

Applicant believes this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned at the below listed telephone number.

Respectfully Submitted,



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May 14, 2007